

REMARKS/ARGUMENTS

Claims 10-19 are pending in the application.

A new claim 19 is being submitting herewith that clarifies the arrangement already defined in claim 10. In particular, claim 19 defines that at least one pump is provided for each of the channels (8, 9; 15, 16); support for this feature can be found on page 2 of the specification, lines 8-10. Claim 19 also provides that pumps associated with one of the channels are adapted to supply treatment liquid independently from pumps associated with the other of said channels; support for this feature can be found on page 2 of the specification, lines 14-18. Finally, claim 19 provides that each pump is adapted to supply treatment liquid to one of the parts (4, 5) of the distributing pipes on each side of the main pipe in one spraying plane. Support for this feature can be found in claim 10 as well as on page 2, lines 10-12.

Claim Rejections – 35 USC § 102

The Examiner has rejected, among others, claim 10 under 35 USC § 102(b) as being anticipated by Schaeffer. Schaeffer falls under the international class B08b 3/02 – cleaning with the force of jet nozzles or spray jets. Schaeffer discloses a cleaning system for a swimming pool 10, with Fig. 4 showing a conductor 48 that is formed to provide two separate fluid passageways or conducting sections 54 and 56. Holes 36 and/or tubing 38 are provided in oppositely directed side walls of the conducting sections so that jet streams are discharged from opposite sides of the conducting members. The two fluid passageways 54 and 56 are supplied with pressurized water from a single pump 14. The conductor 48 is adhesively mounted to the bottom surface of the swimming pool.

If, for example, only one of the fluid passageways 54 or 56 is pressurized, jet streams would be able to be discharged from the openings 36 only on one side of the

conductor 48 since there is no intake connection to the other fluid passageway and hence to the openings 36 on the opposite side of the conductor 48. Thus, on that side of the conductor 48 no cleaning effect could be produced.

In contrast to Schaeffer, the present application, at least pursuant to the European Patent Office, falls under the international class B01D 53/18 – separation of gases or vapors from one another by absorption – absorption units, liquid distributors therefor. As stated on page 2 of the specification of the instant application, the object of the invention is to produce a spray fitting, in which the volumes of treatment liquid supplied by two pumps can be supplied independently from one another in one spraying plane. (See also the newly submitted clarifying claim 19).

This object of the present application is realized in that each channel (8, 9; 15, 16) in the main pipe (2; 13) is supplied via at least one pump with treatment fluid, and on each side of the main pipe (2; 13) there are distributing pipes (4; 4') connected with one channel (8; 15) as well as distributing pipes (5; 5') connected with the other channel (9; 16). This is defined in Applicants' claim 10 and is described in the specification, for example on page 7, lines 17-21. Thus, each channel 8, 9; 15, 16 has distributing pipes 4 or 5 that proceed outwardly from both sides of the main pipe. Therefore, if the pump to one of the channels is switched off or fails, the entire cross section of the tower shown in Fig. 1 is supplied with treatment liquid that is discharged via the distributing pipes that lead off from the other channel.

The Examiner has also stated that the device of Schaeffer "is fully capable of being installed in a tower to treat a gas flow with a liquid". Applicants respectfully disagree. In particular, the flexible conductor 48 of Schaeffer can be supported in a tower only by a separate support structure. Furthermore, the cross section, in other words a spraying

plane, of the tower cannot be sprayed independently by the fluid passageways of Schaeffer, as required by Applicants' claim 10. Schaeffer provides no teaching or suggestion for independently supplying two different fluid passageways or channels, nor of having some of the distributing pipes on both sides of a main pipe be connected to one and the same channel. Thus, Schaeffer cannot anticipate Applicants' claim 10 because Schaeffer does not teach every element of claim 10, and certainly not in as complete detail as is contained in claim 10, all as required by MPEP § 2131.

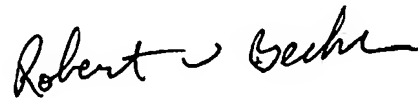
With regard to the Goodricke patent, which has been provided by the USPTO with the international classification A01g 27/00 – automatic irrigation devices, this reference discloses a drip irrigation system having a primary duct 6 connected via flow restricting transfer passages 8 to a secondary duct 7 having the outlet passages 11. This system allows a pressure reduction from the feeding pressure in duct 6 to the dripping pressure at the outlet passages. The drip tubes 12, 12' in Fig. 5, and the drip tubes 41 in Fig. 11, on opposite sides of the duct 6 or duct 40 respectively, are fed from the same source.

With regard to the previous election requirement of 01/24/2008, on February 25, 2008 Applicants traversed this requirement based on the fact that the present application is a national stage application of a PCT application. In particular, Applicants stated that in MPEP 1893.03(d) unity of invention practice, and not restriction/election of species practice, applies. As further stated in this MPEP section, "[a] group of inventions is considered linked to form a single generic inventive concept where there is a technical relationship among the inventions that involves at least one common or corresponding special technical feature". In the present application, several common special technical features are included in generic claim 10, namely a main pipe (2, 13) extending essentially horizontally through a center of the tower, wherein the main pipe is formed with two

channels (8, 9; 15, 16), and a plurality of distributing pipes (4, 5; 4', 5') extending from two sides of the main pipe, wherein on each side of the main pipe, a first part (4, 4') of the distributing pipes is connected with one of the channels (9, 15) and a second part (5, 5') is connected with the other channel (8, 16). The Examiner is respectfully requested to specifically respond to Applicants' request to withdraw the election of species requirement.

In view of the foregoing discussion, Applicants respectfully request reconsideration of the allowability of pending claims 10-19. In addition, should the Examiner have any further comments or suggestions, the undersigned would very much welcome a telephone call in order to be able to discuss any outstanding issues and to expedite placement of the application into condition for allowance.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Robert W. Becker". The signature is fluid and cursive, with a large initial "R" and a stylized "B".

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for Applicants

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